



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony COMMENTING on H.C.R. 205
REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE EXISTING AND
ALLEGED VIOLATIONS IN THE SOLID WASTE RECYCLING INDUSTRY
AND FAIRLY AND EQUITABLY ENFORCE APPLICABLE LAWS AND
REGULATIONS FOR ALL COMPANIES
REPRESENTATIVE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: March 27, 2015
Time: 3:05pm

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** HCR 205/HR141 requests the Department to promptly investigate all
3 alleged violations of laws and regulations pertaining to human health and the environment within
4 its purview by companies operating within the solid waste recycling industry, timely issue any
5 appropriate penalty or order any necessary corrective action, and ensure any ordered action is
6 taken; provide a complaining or interested party with information regarding the status and results
7 of any such investigation, resulting penalty, or order for corrective action; and equally enforce
8 laws and regulations it is authorized to enforce against all companies operating within the solid
9 waste recycling industry.

10 We believe the resolution is unnecessary. The Department's Solid Waste Section not only
11 performs these activities on recycling facilities, but also conducts routine inspections, responds
12 to complaints, and conducts enforcement actions related to all other types of solid waste
13 management facilities, including landfills, waste-to-energy, transfer stations, convenience
14 centers, composting, salvaging, remediation, and waste treatment facilities.

15 The Department's Solid Waste Section responds to Oahu complaints on a timely basis; however,
16 depending on the type of complaint, response to neighbor island complaints could take months
17 since the Department's Solid Waste Section does not have staff on the neighbor islands.
18 Response time to neighbor island complaints are based on type of complaint and initial
19 assessment by the Department's neighbor island staff from other programs. Our response time is
20 prioritized by potential impact to human health and the environment.

1 We believe our actions are fair and equitable. Because the types of solid waste facilities vary
2 significantly, we have assigned our inspectors to specific types of solid waste activities in order
3 to maintain fairly consistent regulatory and enforcement oversight among direct competitors.
4 Every enforcement action is reviewed on multiple levels within the Department's Environmental
5 Management Administration, and with our assigned Deputy Attorney General.

6 Please note that the Department has only three solid waste inspector positions for the entire state,
7 after losing one position to the 2009 Reduction-In-Force. These positions are primarily funded
8 by the Solid Waste Disposal Surcharge. This fund is facing decreasing revenues and increasing
9 programmatic costs. With an annual deficit of about \$200,000 to \$400,000 per year, we expect
10 to be insolvent by FY 2017. Our testimony for S.B. 703 provides additional information.

11 Thank you for the opportunity to testify on this resolution.

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Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Surfrider Foundation	Support	No

Comments: This resolution is important to make sure that the Dept. of Health enforces its own regulations and laws so that they are compliant with federal standards. DOH needs to investigate and punish offenders that violate the laws, and this will bring in needed funding for the Dept. and create a more level playing field for the majority of responsible companies that are following the law. Mahalo for moving this bill forward. Aloha, Stuart Coleman Hawaiian Islands Manager The Surfrider Foundation

Submitted By	Organization	Testifier Position	Present at Hearing
Schnitzer Steel	Schnitzer Steel	Support	No

Comments: On behalf of Schnitzer Steel Hawaii, we are writing in support of HCR 205, requesting the Department of Health to examine alleged violations in the solid waste recycling industry. Schnitzer Steel Hawaii Corp was formerly known as Hawaii Metal Recycling and is now part of Schnitzer Steel Industries, Inc., a global leader in the metals recycling industry. As one of the nation's largest recyclers of scrap metal, Schnitzer's Metals Recycling Business collects, trades, brokers, processes and recycles metal, both ferrous (containing iron) and nonferrous (not containing iron). We are committed to the highest standards of environmental stewardship and support industry compliance with all applicable laws. Mahalo for the opportunity to testify